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July 14, 2004

BY ELECTRONIC FILING

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

**Re: Notification of *Ex Parte* Communication
MB Docket No. 04-63**

Dear Ms. Dortch:

This is to advise you, in accordance with Section 1.1206 of the FCC's rules, that Matt Zinn (via telephone) of TiVo Inc. ("TiVo") and I met on Tuesday, July 13, 2004, with Jon Cody, of Commissioner Powell's office. The discussion focused on the TiVo Certification for Digital Output Protection Technologies and Recording Methods Certification submitted on February 27, 2004, and its Reply filed on April 16, 2004, in the above-referenced docket. At the meetings, Mr. Zinn and I discussed issues arising from the Motion Picture Association of America's expressed concerns regarding proximity controls for technologies submitted during the interim certification proceedings, including TiVo's TiVoGuard technology, and the lack of any indiscriminate redistribution resulting from deployment of that technology. In addition, we addressed the MPAA demand for technology licenses to provide content owners with a direct role in change management and device revocation, and with third-party beneficiary rights with respect to the implementation of the technology's license provisions in downstream devices rather than relying on the FCC's regulatory regime.

As required by Section 1.1206(b), as modified by the policies applicable to electronic filings, one electronic copy of this letter is being submitted for the above-referenced docket.

Very truly yours,



James M. Burger

cc Jon Cody (by email)